

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

WAYNE T. FRIEDMAN, an individual,  
Plaintiff,

v.

FIRST BANK dba FIRST BANK & TRUST, a  
Missouri corporation; HECTOR V. BARRETO  
in his official capacity as administrator of THE  
UNITED STATES SMALL BUSINESS  
ADMINISTRATION; and DOES 1 through  
59, inclusive,

Defendants.

Case No. C-04-5191 SBA ARB

**ORDER REMANDING  
CASE TO STATE COURT**

PURSUANT TO THE STIPULATION of the parties and good cause shown by  
reason of plaintiff WAYNE T. FRIEDMAN's dismissal of federal defendant HECTOR V.  
BARRETO in his official capacity as administrator of THE UNITED STATES SMALL BUSINESS  
ADMINISTRATION and of all claims based on federal law, in the interest of comity, and based on  
principles of discretionary abstention,

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1 IT IS HEREBY ORDERED that this case is remanded to the Superior Court in and  
2 for the County of Contra Costa, State of California, for further disposition.

3 Dated: April 19, 2005  
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6 /s/ Sandra Brown Armstrong  
7 SAUNDRA B. ARMSTRONG  
8 JUDGE OF THE UNITED STATES  
9 DISTRICT COURT FOR THE  
10 NORTHERN DISTRICT OF CALIFORNIA  
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